Amendment in Representation of Peoples' Act

2958. SHRI MAHENDRA MOHAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the CEC has written to the Prime Minister that the Commission is of the view that there is a lurking danger that hard core criminals may one day enter the electoral fray to become Members of Parliament and State Assemblies, unless the law was amended;

(b) if so, whether Government are going to amend Representation of Peoples' Act soon and if not the reasons therefor;

(c) whether Government would convene all party meeting and take the views of all political parties before the law is amended; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) Yes, Sir. As the subject of electoral reforms is presently under consideration of the Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, the Committee was requested to give its recommendations on the proposal of the Election Commission to disqualify a person from contesting election against whom charges have been framed by a competent court for certain serious criminal offences. The Committee has presented its eighteenth report on the subject to the Rajya Sabha/laid on the Table of the Lok Sabha on 15th March, 2007. It has been *inter alia* mentioned in the said report that the Committee is constrained to disagree with the afcresaid proposal as the proposal is a major departure from the law for the time being in force, which provides that if a person is convicted for an offence and the court gives a judgment convicting him, then such a person shall be disqualified for contesting elections, but the Committee has recommended that proclaimed absconders under section 82 of the Criminal Procedure Code be disqualified from contesting polls. The Government has not taken any decision on the recommendations of the Committee so far.